

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARK A. FAVORS, et al.,

Plaintiffs,

- against -

ANDREW M. CUOMO, et al.,

Defendants.

**ANSWER OF DEFENDANTS
ANDREW M. CUOMO AND
ROBERT J. DUFFY TO
COMPLAINTS-IN-INTERVENTION**

11-CV-5632 (DLI-GEL-RR) (RLM)

Defendants ANDREW M. CUOMO and ROBERT J. DUFFY, by and through their counsel the Attorney General, submit this Answer to the Complaint-in-Intervention of Intervenor-Plaintiffs Donna Kaye Drayton, Edwin Ellis, Aida Forrest, Gene A. Johnson, Joy Wooley, and Sheila Wright (the “Drayton Complaint”); the Complaint-in-Intervention of Intervenor-Plaintiffs Linda Lee, Shing Chor Chung, Jung Ho Hong, and Julia Yang (“the Lee Complaint”); the Complaint-in-Intervention of Intervenor-Plaintiffs Juan Ramos, Nick Chavarria, Graciela Heymann, Sandra Martinez, Edwin Roldan, and Manolin Tirado (the “Ramos Complaint”); and the Complaint-in-Intervention of Intervenor-Plaintiffs Linda Rose, Everet Mills, Anthony Hoffman, Kim Thompson-Werekoh, Carlotta Bishop, Carol Rinzler, George Stamatiades, Josephine Rodriguez, and Scott Auster (the “Rose Complaint”):

Defendants Cuomo and Duffy generally deny any allegations against Defendants Cuomo and Duffy and generally deny knowledge or information sufficient to form a belief as to the truth or falsity of all other allegations in the Drayton Complaint, the Lee Complaint, the Ramos Complaint, and the Rose Complaint.

AND AS FOR A FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a cause of action against Defendants Cuomo and Duffy.

AND AS FOR A SECOND AFFIRMATIVE DEFENSE

Defendants Cuomo and Duffy have had no personal involvement in any alleged violations of law.

AND AS FOR A THIRD AFFIRMATIVE DEFENSE

Plaintiffs lack standing to assert causes of action with respect to districts in which they do not reside.

AND AS FOR A FOURTH AFFIRMATIVE DEFENSE

The Court must defer to the sovereign State of New York, including its judicial branch, with respect to redistricting claims.

WHEREFORE, Defendants Cuomo and Duffy request that this Court not issue any orders against Defendant Cuomo or Defendant Duffy.

Dated: New York, New York
March 7, 2012

Respectfully submitted,

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York
*Attorney for Defendants Andrew M. Cuomo
and Robert J. Duffy*

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